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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-26787 of 2023
Date of Decision:25.05.2023.

Raj Kumar Sharma

Petitioner

Versus

Life Insurance Corporation Housing Finance Limited

..... Respondent

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Ms. Samridhi Sareen, Advocate
for the petitioner.

VIKRAM AGGARWAL, J. (ORAL)

1. Prayer in the present petition filed under Section 482 of the Code of Criminal Procedure, 1973 (for short the Cr.P.C.) is for setting aside the order dated 17.03.2023 (Annexure P-4) passed by the Additional Sessions Judge, Hisar in CRA-18-2020, titled as Raj Kumar Sharma Vs. Life Insurance Corporation Housing Finance Limited etc., vide which arrest warrants were issued to procure the presence of the petitioner.

2. The petitioner was convicted by the trial Court under Section 138 of the Negotiable Instrument Act, 1881. He preferred an appeal which is now stated to be pending in the Court of the Additional Sessions Judge, Hisar. By way of the impugned order, arrest warrants were issued to procure the presence of the petitioner leading to filing the present petition.

3. At the outset, learned counsel representing the petitioner has stated at the bar that the bail of the petitioner has not been cancelled. She has also handed over the

interlocutory orders as per which the petitioner did not put in appearance on

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01.10.2021 after which, till date, arrest warrants are being issued to procure his presence. Learned counsel submits that the petitioner is willing to submit to the jurisdiction of the trial Court, but apprehends that the moment he appears he shall be taken into custody.

4. The apprehension expressed by learned counsel for the petitioner is totally unfounded as the bail of the petitioner has not been cancelled. Non-bailable warrants have been issued only to procure the presence of the petitioner. It would, therefore, be open to the petitioner to appear before the Court concerned and pursue his appeal.

5. For the said reason, no directions are called for from this Court.

The petition is accordingly disposed of.

(VIKRAM AGGARWAL)
JUDGE

May 25th, 2023
Rekha

Whether speaking/reasoned : *Yes/No.*
Whether reportable : *Yes/No.*